

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 242—EX-PRESSING THE SENSE OF THE SENATE ABOUT A STRATEGY TO DEPLOY FIFTH GENERATION MOBILE NETWORKS (5G NETWORKS) AND NEXT-GENERATION WIRELESS AND WIRED TECHNOLOGIES TO PROMOTE ECONOMIC DEVELOPMENT AND DIGITAL INNOVATION THROUGHOUT THE UNITED STATES

Mr. WICKER (for himself, Mr. SCHATZ, Mr. GARDNER, Ms. HASSAN, Mr. MORAN, and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 242

Whereas wireless and wired broadband networks are essential to economic growth, job creation, and the global competitiveness of the United States;

Whereas wireless and wired broadband networks provide connectivity to billions of devices, applications, and services that are increasing productivity and efficiency across every industry and economic sector;

Whereas wireless and wired broadband networks create and support millions of jobs;

Whereas wireless and wired broadband networks are vital to providing communications services and access to internet connectivity to people in the United States living in rural and remote geographic areas;

Whereas wireless and wired broadband networks are a platform for innovation and ingenuity, powering advancements in the Internet of Things and other revolutionary technologies;

Whereas 5G networks will have the capacity to deliver enhanced mobile broadband with significantly faster data transmission speeds, low latency, more reliable connections, and greater data capacity, which will provide for seamless internet connectivity throughout all regions across the United States;

Whereas 5G networks are expected to create more than 3,000,000 new jobs in the United States, generate \$275,000,000,000 in investment from the wireless industry, and add \$500,000,000,000 to the economy of the United States over the next decade;

Whereas next-generation, gigabit Wi-Fi solutions that rely on unlicensed spectrum bands are poised to unleash a new round of innovation and consumer benefit from an industry that generates an economic surplus of \$547,000,000,000 and contributes \$50,000,000,000 annually in gross domestic product to the economy of the United States;

Whereas 5G networks will enable innovative consumer and industrial applications that will enhance and maximize the capability, uses, and quality of technological developments, including telemedicine, precision agriculture, self-driving cars, virtual and augmented reality, robotics, smart communities, and advancements in public safety;

Whereas the United States is a global leader in developing new technology and fostering digital innovation that has generated significant economic and social advancement and opportunity in the United States and around the world;

Whereas many states and localities are streamlining policies to facilitate siting and small cell deployment in support of 5G networks;

Whereas modernizing the infrastructure policies of the United States and securing

adequate spectrum bands will be essential to the deployment of 5G networks and next-generation wireless technologies, and the realization of all its promised economic and social benefits;

Whereas wireless and wired broadband networks, in addition to other technologies, are essential to closing the digital divide, delivering broadband service to rural areas, creating jobs, and powering economic development and innovation across the United States: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United States should—

(1) promote the deployment of 5G networks in a manner that encourages robust investment, job creation, economic growth, and continued United States leadership in developing next-generation wireless technologies;

(2) advance 5G networks as a way of closing the digital divide and reducing the disparity in quality communications services available in rural areas;

(3) recognize that 5G networks will facilitate the development of a new generation of technologies that will open opportunities for increased efficiency, mobility, accessibility, economic development, and prosperity in communities throughout the country;

(4) commit to modernizing the infrastructure policies of the United States and identifying additional spectrum in low, mid, and high bands for licensed and unlicensed uses and to support the deployment of 5G networks and meet the increasing demands for wireless broadband service;

(5) recognize that 5G networks will give consumers access to more choices and enable them to derive greater value from mobile connections;

(6) commit to deploying 5G networks that are resilient and secure;

(7) continue to participate in global efforts to create standards for 5G networks that improve user experiences, maximize use-cases, enable interoperability, sustain multiple, simultaneous connections, increase network capacity through virtualization or other software developments, and adapt to new technologies and future network applications; and

(8) promote the deployment of broadband technologies to expand the availability, affordability, and quality of broadband service throughout the United States.

SENATE RESOLUTION 243—EX-PRESSING THE SENSE OF THE SENATE THAT JOSEPH LEON GEORGE SHOULD BE HONORED FOR HEROISM AT PEARL HARBOR, HAWAII, ON DECEMBER 7, 1941

Mr. FLAKE (for himself, Mr. GARDNER, Mr. LEE, Mr. COTTON, Mrs. MCCASKILL, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 243

Whereas, on December 7, 1941, Boatswain's Mate Second Class Joseph Leon George was 26 years old;

Whereas Boatswain's Mate Second Class George was a crewmember aboard the U.S.S. Vestal (AR-4), a repair ship, on that day;

Whereas the U.S.S. Vestal was moored next to the U.S.S. Arizona (BB-39);

Whereas the Japanese began the attack on Pearl Harbor, Hawaii, at 7:48 a.m.;

Whereas 6 sailors on the U.S.S. Arizona, Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate

Second Class Alvin Dvork, Seaman First Class Donald Stratton, and Fire Controlman Third Class Lauren Bruner, were trapped in the control tower main mast after a massive explosion on the ship;

Whereas those 6 sailors suffered severe burns;

Whereas those wounded sailors searched for a way to escape the ship;

Whereas Boatswain's Mate Second Class George saw the 6 wounded sailors on the U.S.S. Arizona from the U.S.S. Vestal and threw a heaving line and a heavy line;

Whereas all 6 sailors climbed, nearly 40 feet in the air, hand over hand across the heavy line 70 feet to safety onboard the U.S.S. Vestal;

Whereas 2 sailors died shortly after from their injuries, but the remaining 4 survived;

Whereas Boatswain's Mate Second Class George was commended for his actions, but he was never given a medal for his role in the rescue of the 6 sailors;

Whereas the 2 surviving sailors rescued from the U.S.S. Arizona, Donald Stratton and Lauren Bruner, seek to honor Boatswain's Mate Second Class George;

Whereas U.S.S. Arizona survivor Donald Stratton stated, "Joe George was never awarded anything for his bravery. He is no longer with us, but I believe in his memory, should be awarded the Navy Cross."; and

Whereas U.S.S. Arizona survivor Lauren Bruner stated, "The six of us would not have survived except for his courage, in spite of being at high risk himself. He fully deserves high commendations for his actions. I feel he should be recognized for this courage and presented the Navy Cross.": Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the heroism of Boatswain's Mate Second Class Joseph Leon George in saving the lives of 6 sailors on December 7, 1941; and

(2) believes the United States Navy, in light of new information, should consider revisiting decorating and honoring the heroism of Boatswain's Mate Second Class Joseph Leon George in saving the lives of 6 sailors on December 7, 1941.

Mr. FLAKE. Mr. President, recently, I was fortunate enough to have the opportunity to host several veterans who survived the sinking of the USS *Arizona* in the attack on Pearl Harbor.

I would like to briefly share an incredible story they told me about a true American hero named Joe George.

On December 7, 1941, Joe was a 26-year-old Boatswain's Mate Second Class aboard the repair ship USS *Vestal* in Pearl Harbor, HI, moored alongside the USS *Arizona*.

At 7:48 a.m., many sailors, including Joe, had finished their breakfast when the Imperial Japanese Navy Air Service attacked Pearl Harbor. As we know, the *Arizona* suffered a direct hit by a Japanese bomb that detonated in the ship's powder magazine. The resulting explosion sank the ship and claimed the lives of 1,177 servicemembers.

During the unimaginable chaos and carnage, Joe George displayed stunning composure and courage. Joe spotted six sailors trapped in the control tower of the sinking *Arizona*. These men were severely burned, and they were searching for a way to safety. The six wounded sailors were Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate Second

Class Alvin Dvorak, Seaman First Class Donald Stratton, and Fire Controlman Third Class Lauren Bruner.

Upon seeing the men, Joe threw a heaving line between the *Vestal* and the *Arizona* to rescue the wounded sailors from the sinking ship. Suspended 40 feet in the air, the six sailors climbed 70 feet hand over hand across the rope to safety onboard the *Vestal*. These sailors did all this while enduring injuries so severe that two would succumb to their wounds in the weeks following the attack.

As they struggled across the heavy line, Joe George remained close by, all the while encouraging the men to push on.

The four sailors who survived their injuries each returned to serve with honor during World War II and then went on to live long lives.

I spoke with two of them, and hearing about the injuries they had and that they still were able to return to service in the Second World War was amazing.

Joe George's legacy of heroism will remain alive forever in the children, grandchildren, and great-grandchildren of the four sailors who survived the infamous day, thanks to Joe George.

Joe George was never awarded a medal for his role in the rescue of the six sailors, although his commanding officer commended his courageous actions. When I met with one of the *Arizona* survivors who was rescued by Joe, he told me, "Joe George was never awarded anything for his bravery. He is no longer with us, but I believe in his memory he should be awarded the Navy Cross."

Lauren Bruner was another survivor whom Joe saved. He said to me:

The six of us would not have survived except for his courage, in spite of being at high risk himself. He fully deserves high commendations for his actions. I feel he should be recognized for this courage and presented the Navy Cross.

In his own words, during an interview in 1978, Joe said: "I'll tell you, the only thing I could tell you about that day . . . my conscience was my guide."

Well, his conscience was that of a hero. We need more people like Joe George in this world. That is why I am committed to honoring Joe and why I rise today with the honor and privilege to submit a resolution honoring Joseph Leon George.

Joe passed away in 1996, and it is long overdue that the Senate, the U.S. Navy, and a grateful nation honor the heroism of Boatswain's Mate Second Class Joseph Leon George.

God bless Joe George, whose immense and astounding composure serves as an example of the men and women in uniform who follow in his wake. Let us never forget his heroism and sacrifice.

I would like to also thank my colleagues Senators GARDNER, LEE, COTTON, McCASKILL, and BENNET for joining me on this resolution. I look for-

ward to working with them on its swift adoption.

#### SENATE RESOLUTION 244—TO AUTHORIZE TESTIMONY, DOCUMENT PRODUCTION, AND REPRESENTATION IN UNITED STATES OF AMERICA V. ROBERT MENENDEZ, ET AL

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 244

Whereas, in the case of *United States of America v. Robert Menendez, et al.*, Cr. No. 15-155, pending in the United States District Court for the District of New Jersey, testimony and the production of documents may be needed from various current and former Members and employees of the Senate, relating to their official responsibilities;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former Members and employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That current and former Members and employees of the Senate are authorized to testify and produce documents in the case of *United States of America v. Robert Menendez, et al.*, and related proceedings, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former Members and employees of the Senate in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the Democratic Leader, I send to the desk a resolution authorizing testimony, production of documents, and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. President, this resolution concerns the case pending in the United States District Court for the District of New Jersey against Senator ROBERT MENENDEZ. Both the Department of Justice and Senator MENENDEZ are expected to seek trial testimony from Members and Senate staff.

This resolution would authorize Senate individuals called to appear to testify and produce documents in this case and related proceedings, except concerning matters for which a privilege is asserted. It would also authorize the Senate Legal Counsel to represent individuals called to testify at trial as fact witnesses regarding their performance of official Senate responsibilities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 747. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 748. Mr. CARPER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 2810, supra; which was ordered to lie on the table.

SA 749. Mr. MCCONNELL (for Mr. DAINES (for himself and Mr. TESTER)) proposed an amendment to the bill S. 1282, to redesignate certain clinics of the Department of Veterans Affairs located in Montana.

SA 750. Mr. WHITEHOUSE (for himself, Mr. PETERS, Mr. TESTER, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 751. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 2430, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 747. Mr. TESTER submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 601 and the following:

#### SEC. 601. FISCAL YEAR 2018 INCREASE IN MILITARY BASIC PAY.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2018 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2018, the rates of monthly basic pay for members of the uniformed services shall be increased by a percentage that is equal to or greater than the percentage by which—

(1) the ECI for the final fiscal quarter of fiscal year 2017, exceeds

(2) the ECI for the final fiscal quarter of fiscal year 2016.

(c) DETERMINATION OF PERCENTAGE.—The Secretary of Defense shall determine the percentage increase in rates of monthly basic pay provided for by subsection (b) in consultation with the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of Health and Human Services.

(d) ECI DEFINED.—In this section, the term "ECI" has the meaning given that term in section 1009(a)(3)(A) of title 37, United States Code.